

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

Deutsche Bank National Trust Company, as trustee
Morgan Stanley ABS Capital I Inc. Trust 2007-
NC1 Mortgage Pass-through Certificates, Series
2007-NC1

CASE NUMBER: 1:10-cv-6270

PLAINTIFF

VS.

DISTRICT JUDGE: Charles R. Norgle, Sr.

Steven M. Fischer, Sr., Laura B. Fischer

MAGISTRATE JUDGE: Morton Denlow

DEFENDANT(S).

MOTION TO DISMISS CASE

Plaintiff, Deutsche Bank National Trust Company, by counsel, James N. Pappas of Burke, Costanza, & Cuppy LLP, files the following Motion to Dismiss the Case without Prejudice and with leave to reopen, and states:

1. On September 30, 2010, Plaintiff filed its Complaint for Foreclosure of a mortgage given by the Defendants Steven M. Fischer, Sr. and Laura B. Fischer to the Plaintiff.
2. On January 13, 2011 a Loan Modification was completed.

WHEREFORE, counsel for Plaintiff, Deutsche Bank National Trust Company, respectfully requests that the Case be dismissed without prejudice and with leave to reopen, and for all other relief just and proper.

Respectfully submitted,

BURKE COSTANZA & CUPPY LLP

By: /s/ James N. Pappas
James N. Pappas, #6291873
222 South Riverside Plaza, Ste. 2943
Chicago, IL 60606
Phone: (219) 769-1313